

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RAUL MARTINEZ, *individually*,

Plaintiffs,

19-CV-02662-LGS

-against-

PROPOSED

STOP 1 DELI & 99 CENT PLUS CORP. (D/B/A
STOP ONE DELI & 99 CENTS), MOHAMMED
ALSAIDI, and EFRAIN ALSAIDI,

DEFAULT JUDGMENT

Defendants.

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JUDGMENT

On March 25, 2019, this action was commenced by Plaintiffs' filing of the complaint. (Dkt. No. 1). A First Amended Complaint was filed on June 25, 2019 (Dkt. No. 47). The summonses and First Amended Complaint in this action having been duly served on the above-named defendant Stop 1 Deli & 99 Cent Plus Corp. (d/b/a Stop One Deli & 99 Cents), respectively (Dkts. No. 55) and said Defendant having failed to plead or otherwise move in this action, and said default having been duly noted, and upon the annexed declaration of default judgment,

NOW, on motion of Plaintiff, by their attorneys Michael Faillace & Associates, P.C., it is hereby ORDERED, ADJUDGED AND DECREED:

That the Plaintiff has judgment against the Defendant Stop 1 Deli & 99 Cent Plus Corp. (d/b/a Stop One Deli & 99 Cents), in ~~the amount of \$193,875.94~~ ^{an amount to be determined in an inquest, which may include:} ~~the amount of \$193,875.94~~ including (A) compensatory damages for unpaid minimum wages and overtime compensation under the FLSA/NYLL ~~in the amount of \$193,875.94~~, (B) liquidated damages for unpaid minimum wages and overtime compensation under the FLSA/NYLL ~~in the amount of \$193,875.94~~, (C) unpaid spread of hours

pay in the amount of ~~\$11,527.50~~ (D) liquidated damages for unpaid spread of hours pay in the amount of ~~\$11,527.50~~ (E) statutory damages for violation of New York Labor Law § 195 in the amount of ~~\$10,000~~, and (G) pre-judgment interest on unpaid minimum wages and overtime calculated at the rate of 9% per annum until to the date of judgment, and totaling ~~\$63,976.25~~ as of February 20, 2019; (H) pre-judgment interest on spread of hours damages to be calculated at the rate of 9% per annum to the date of judgment and totaling ~~\$3,927.56~~ as of November 5, 2019;

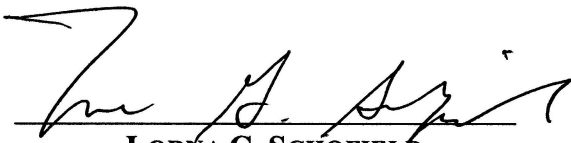
That the Plaintiff is awarded attorney's fees in the amount of ~~\$1,480.00~~ and costs in amounts to be determined in the inquest, per the amount of ~~\$887.00~~, all computed as provided in 28 U.S.C. § 1961(a).

That the Plaintiffs are awarded post judgment interest, as calculated under 28 U.S.C. § 1961.

That if any amounts remain unpaid upon the expiration of ninety days following issuance of judgment, or ninety days after expiration of the time to appeal and no appeal is then pending, whichever is later, the total amount of judgement shall automatically increase by fifteen percent, as required by NYLL § 198(4).

Dated: New York, New York

ISSUED: December 3, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

To:

Stop 1 Deli & 99 Cent Plus Corp.
c/o Stop One Deli & 99 Cents
75 West 115th Street
New York, NY 10026